

CENTRAL INFORMATION COMMISSION

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Decision No. CIC/SG/A/2011/002837/16639

Appeal No. CIC/SG/A/2011/002837

Relevant Facts emerging from the Appeal

Appellant : Mr. Subhash Chandra Agrawal
1775 Kucha Lattushah
Dariba, Chandni Chowk
Delhi-I 10006

Respondent : Mr. Manish Chauhan
Public Information Officer & Director(RTI)
Ministry of External Affairs
2025, "A" Wing, Jawahar Bhawan, 23-D,
Janpath, New Delhi

RTI application filed on : 12/07/2011
PIO replied : 01/09/2011 (app transferred)
First Appeal : 10/09/2011
First Appellate Authority order : 27/09/2011
Second Appeal received on : 31/10/2011

Information Sought:

Provide the detailed and complete information together with related documents/correspondence/ file notings etc on under-mentioned aspects relating to news- clipping dated 04.07.2011 from CNN IBN regarding UK trip of Union Foreign Minister Shri SM Krishna:

1. Is it true that PMO issued directive to Union Ministers to avoid foreign trips to curtail expenses?
2. If yes, copy of any such directive/circular etc
3. Did Union Foreign Minister Shri SM Krishna seek approval from PMO and/or concerned ones for the UK trip as also referred in enclosed news-clipping where he is said to have over-stayed to watch Wimbledon tennis-matches?
4. If yes, copies of letter by Shri SMK Krishna seeking approval, and the approval given by PMO or others together with file-notings/correspondence/documents etc on granting approval
5. Complete and detailed information on purpose of the said UK trip of Shri SM Krishna enclosing also complete correspondence/documents/file-notings etc on planning the said UK trip by Shri SM Krishna
6. Complete and detailed information on expenses made on UK trip by shri SM Krishna with details of expenses on travel, stay, allowances etc with bifurcating-details of expenses done from the exchequer and from private sources of Shri SM Krishna
7. Complete and detailed information on daily programme-schedule of Shri SM Krishna on his said UK trip as also referred in enclosed news-report
8. Has Honorable Prime Minister and/or PMO took some action including by taking up the mailer with Shri SM Krishna on impropriety of merging a private trip with official trip?
9. If yes, please provide details including also any some directive to prevent such future occurrence of misuse of authority to combine personal and official trip by Ministers and others traveling on government-expense
10. Any other related information.
11. File-notings on movement of this RTI petition

Reply of the CPIO:

Information relating to this Ministry with regard to points 3 & 5 to 7 is as follows:

Point 3: Yes.

Points 5 & 7: The information sought in your RTI application cannot be provided under Section 8(1)(a) of RTI Act, 2005 as disclosure of this information which would prejudicially affect the relation with a foreign State.

Point 6: The expenditure incurred by the Ministry/Mission on the accommodation/transport and air fare in respect of Hon'ble Minister of External Affairs on 29 and 30 June 2011 which was part of the official visit is as below:

Name of the Designation	Air fare	Hotel accommodation	DA	transport	Telephone/internet
Sh. Sm Krishna , ex affairs minister	273863	435540	nil	107597	nil

Grounds for the First Appeal:

Information provided is incomplete and unsatisfactory.

Order of the FAA:

FAA ordered that CPIO already furnished the information.

Grounds for the Second Appeal:

Information provided is incomplete and unsatisfactory.

Relevant Facts emerging during Hearing:

The following were present

Appellant: Mr. Subhash Chandra Agrawal on telephone no. 09810033711;

Respondent: Mr. Manish Chauhan, Public Information Officer & Director(RTI); Mr. D. K. Bhattacharya, US, South Block, Delhi and Mr. Mahabir Kasana, Advocate;

The PIO has refused to give information on query 5 & 7 claiming exemption under Section 8(1)(a) of the RTI Act. The PIO contends that disclosing the discussions held by the Foreign Ministry with various Signatories would impact India's relation with the Foreign States. The Commission accepts the plea that the record of discussions of the Foreign Ministers with various people of different countries would cover a wide range of topics and all of these could not be disclosed since they would have an impact on our relations with various foreign states. However, after discussions with the respondents the Commission comes to the conclusion that notings on the preparations for the visit consisting of 03 pages page nos. 01, 02 & 06 relating to the preparations for the trip and the press release which also mentions the purpose of the visit can be severed as per the provisions of Section 10 and provided to the Appellant. Given the background furnished by the Appellant of the press clipping page six of the noting may be relevant since it mentions that the Foreign Minister's visit for 02nd and 03rd July 2011 was private and payment for these days has been made by the Minister. The Commission also directs the Respondent to disclose the Program Schedule which was made before the visit which is titled "Suggested Tentative Program for the visit of Mr. S. M. Krishna Hon'ble Minister of External Affairs". The Respondent states that this has the mobile numbers of certain people. The Commission directs that the mobile numbers may be blanked out when giving the information as per Section 10 of the RTI Act.

Decision:

The Appeal is allowed.

The PIO is directed to provide the information as directed above to the Appellant before 10 January 2012.

This decision is announced in open chamber.

Notice of this decision be given free of cost to the parties.

Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
29 December 2011

(In any correspondence on this decision, mention the complete decision number.) (PG)